

OMAN 2021 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Sultanate of Oman is a hereditary monarchy ruled since January 2020 by Sultan Haitham bin Tarik Al Said. The sultan has sole authority to enact laws through royal decree, although ministries and the bicameral Majlis Oman (parliament) can draft laws on non-security-related matters, and citizens may provide input through their elected representatives. The Majlis Oman is composed of the Majlis al-Dawla (upper house or State Council), whose 85 members are appointed by the sultan, and the elected 86-member Majlis al-Shura (lower house or Consultative Council). In 2019 nearly 350,000 citizens participated in the Majlis al-Shura elections for the Consultative Council; there were no significant claims of improper government interference.

The Royal Office, Royal Oman Police Internal Security Service, and Ministry of Defense comprise the security apparatus. The Royal Office is responsible for matters of foreign intelligence and security. The Royal Oman Police, which includes Civil Defense, Immigration, Customs, and the Coast Guard, performs regular police duties as well as many administrative functions similar to a Ministry of Interior in other countries. An inspector general serves as the head of the Royal Oman Police, which is a ministerial-level position that reports directly to the sultan. An official with ministerial-level rank heads the Internal Security Service, which investigates matters related to domestic security. Sultan Haitham's brother – Shihab bin Tariq Al Said – serves as deputy prime minister for defense affairs, although the sultan remains the supreme commander of the armed forces. The sultan, as well as the senior civilian and military authorities who reported to him, maintained effective control over the security forces.

Significant human rights issues included credible reports of: arbitrary arrest or detention; serious restrictions on free expression and media, including censorship and criminal libel laws; serious restrictions on the internet, including site blocking; substantial interference with the rights of peaceful assembly and freedom of association; serious restrictions on political participation; criminalization of consensual lesbian, gay, bisexual, transgender, queer, and intersex conduct; and

labor exploitation of foreign migrants.

The government had mechanisms in place to identify and punish officials who may commit human rights abuses, and authorities generally held security personnel and other government officials accountable for their actions.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices. The Gulf Center for Human Rights (GCHR), an organization based in Beirut that relies heavily on social media, reported Sultan Ambo Saeedi's claims that the Internal Security Service (ISS) subjected him to nail removal, electric shocks, and tear gas exposure while he was in custody in 2017. During the year Saeedi also indicated that his torture complaint, filed in 2017, had not been addressed. Saeedi claimed he was forced to leave the country after successive summonses. On March 26, the government-funded Oman Human Rights Commission (OHRC) said that it would "coordinate with the competent authorities to find the truth and take the necessary actions in accordance with the law," and the Royal Oman Police (ROP) said in a separate statement it would clarify the facts of this case and noted "all its procedures are in accordance with laws and regulations," but no case updates were available by year's end.

Prison and Detention Center Conditions

There was no current information available regarding prison or detention center

conditions.

Physical Conditions: There have been no prison condition reports since a 2019 report from Amnesty International that described the conditions in Samail Central Prison as “poor.” During the COVID-19 outbreak, there were reports of infections among inmates in some of the country’s prisons. The OHRC reported that prison and detention center officials worked to protect inmates and prevent the spread of COVID-19 by isolating and monitoring new prisoners for 14 days in separate areas before transferring them to their cells. Inmates also received educational briefings on health and infection-prevention best practices.

Administration: There was no established prison authority to which prisoners could bring grievances concerning prison conditions. The OHRC conducted prison and detention center site visits and reviewed written complaints in conjunction with prison administrators. There was no ombudsman to serve on behalf of prisoners and detainees; this responsibility fell under the jurisdiction of the public prosecution, which maintained an office in Samail Central Prison. Prisoners and detainees did not always have regular access to visitors or legal representation.

Independent Monitoring: The law permits visits by international human rights observers. The president of the International Committee of the Red Cross (ICRC) visited the country in July; however, ICRC is not believed to have conducted any independent monitoring visits in the country during the year. The OHRC reported on human rights conditions to the sultan via the State Council. The OHRC investigated claims of abuse, conducted prison and detention center site visits, and published a summary of its activities in an annual report. Consular officers from some diplomatic missions reported difficulties in meeting with prisoners or delayed notification regarding detained citizens.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention. The government generally observed these requirements, but there were reports the government arbitrarily arrested several peaceful activists who publicly criticized the government. Persons arrested or detained are entitled to challenge in court the legal basis of their detention although there were reports that those arrested were not always able to

access legal representation in a timely manner.

Arrest Procedures and Treatment of Detainees

The law does not allow the ROP to arrest or detain a person “without an order to this effect from a concerned legal authority.” The law stipulates that police must either release the person or refer the matter to the public prosecution within 48 hours. For most crimes the public prosecution must then order the person’s “preventive detention” or release the person within 24 hours; preventive detention is warranted if “the incident is an offense or an act of misdemeanor punishable by imprisonment.” A preventive detention order shall not exceed 30 days, or 45 days in offenses involving public funds, narcotics, and psychoactive drugs. A prosecutor may request extensions – 15 days in special circumstances, but the request cannot exceed 60 days. The law requires those arrested be informed immediately of the charges against them. The government generally observed these requirements unless charges were related to peaceful activism challenging the government’s authority in which case the government prevented activists from promptly accessing legal representatives. There was a functioning bail system. Detainees generally had prompt access to a lawyer of their choice although there are reports individuals detained for political reasons were not always given prompt access to a lawyer. The state usually provided public attorneys to indigent detainees, as required by law. In cases involving foreign citizens, police sometimes failed to notify the detainee’s local sponsor or the citizen’s embassy.

Arbitrary Arrest: The law prohibits arbitrary arrest and detention. The government generally observed these requirements.

According to GCHR on February 23, security authorities in Dhofar Governorate arrested environmental rights activist Ahmed Issa Qatan. On February 28, authorities arrested internet activists Salem Ali al-Maashani and Amer Muslim Bait Saeed (Amr al-Hkli) for acts relating to environmental activism online, according to human rights organizations and social media posts calling for their release. A court in Salalah acquitted one of the activists, and released the other two on bail, the same sources said in March.

On July 23, security forces arrested internet activist Ghaith al-Shibli at his home in

Sohar, according to GCHR and social media. Al-Shibli's arrest was followed by the arrest of several internet activists who participated in dialogues that al-Shibli organized on religious freedom and other topics. Other activists reportedly detained in the same crackdown included Maryam al-Nuaimi and Abdullah Hassan. Both of their Twitter accounts were suspended following their arrests. No further updates were available. On August 9, police arrested Talal bin Ahmed al-Salmani after he submitted a request to the director of Bousher Police Station in Muscat Governorate requesting permission to organize a peaceful rally on August 11 calling for liquor shops to be shut down, according to human rights observers based outside the country. He was released in October, according to the state-run Oman News Agency.

e. Denial of Fair Public Trial

Although the law provides for an independent judiciary, the sultan may act as a court of final appeal and exercise his power of pardon as chairman of the Supreme Judicial Council, the country's highest legal body, which is empowered to review all judicial decisions. The country has civil courts though principles of sharia (Islamic law) inform the civil, commercial, and criminal codes. There is no article in the law that prohibits or allows women to serve as judges, but no women are known to have served. Civilian or military courts try all cases. There were no reports judicial officials, prosecutors, and defense attorneys faced intimidation or engaged in corruption.

Trial Procedures

The law provides for the right to a fair trial and stipulates the presumption of innocence until proven guilty. Citizens and legally resident noncitizens have the right to a public trial, except when the court decides to hold a session in private in the interest of public order or morals; the judiciary generally enforced this right. The government reserved the right to close sensitive cases to the public. The government did not uniformly provide language interpretation or document translation for non-Arabic speakers.

Defendants have the right to consult with an attorney; however, there were reports that some activists were denied prompt access to legal representation. The law

provides defendants the right to be informed promptly of charges. There is no provision for adequate time for defense attorneys to prepare, but in practice most court dates provide ample time. The law states that an interpreter shall assist litigants and witnesses who do not know Arabic to submit their statements, but there is no provision for free interpretation. Courts provide public attorneys to indigent detainees and offer legal defense for defendants facing prison terms of three years or more. The prosecution and defense counsel direct questions to witnesses through the judge. Defendants have the right to be present, submit evidence, and confront witnesses at their trials. There is no known systemic use of forced confession or compulsion to self-incriminate during trial proceedings in the country. Those convicted in any court have one opportunity to appeal a jail sentence longer than three months and fines of more than 480 rials (\$1,250) to the appellate courts. The judiciary enforced these rights for citizens, except in some cases involving activists; some foreign embassies claimed these rights were not always uniformly enforced for noncitizens, particularly migrant workers.

Political Prisoners and Detainees

The number of political prisoners was unknown. Political prisoners are not denied any prisoner rights under the law, and they may ask to speak with representatives from the OHRC or the ICRC. Some activists were denied prompt access to legal representation, Freedom House reported.

Civil Judicial Procedures and Remedies

Civil laws govern civil cases. Citizens and foreign residents could file cases, including lawsuits seeking damages for human rights violations, but no known filings occurred during the year.

The Administrative Court reviews complaints regarding the misuse of governmental authority. It has the power to reverse decisions by government bodies and to award compensation. Appointments to this court are subject to the approval of the Administrative Affairs Council. The court's president and deputy president are appointed by royal decree based on the council's nomination. Citizens and foreign workers may file complaints regarding working conditions with the Ministry of Labor for alternative dispute resolution. The ministry may

refer cases to the courts if it is unable to negotiate a solution.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law does not allow public officials to enter a private home without first obtaining a warrant from the public prosecution. The government monitored private communications, including cell phone, email, and social media exchanges. The government blocked most voice over internet protocol (VoIP) sites.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The law provides for limited freedom of expression for members of the press and other media, but authorities did not always respect these rights. Journalists, high profile figures, and writers reportedly exercised self-censorship.

Freedom of Expression: The law prohibits criticism of the sultan in any form or medium, as well as any “provocative propaganda to undermine the prestige of the state,” electronic communication that “might prejudice the public order or religious values,” and “defamation of character.” It is illegal to insult any public official or private citizen. Authorities prosecuted individuals for writing on the sultan in a way the government perceived to be negative. International human rights organizations expressed concern that the penal code contains vaguely defined articles that the security services could use to target activists and further restrict freedom of expression, including online.

In February a court charged an individual with a misdemeanor and sentenced him to two months’ imprisonment and a fine of 300 rials (\$780) for the “indecent act” of showing contempt for the national currency, local press reported. According to the report, the man posted a video to social media in which he was dancing while wearing a necklace of currency bills.

On August 13, security forces arrested internet activist Khamis al-Hatali after he published a video on his Twitter account where he addressed Sultan Haitham,

saying, “We are the nation talking...You are an unjust person.” No update was available.

There were no updates available on the status of Musallam al-Ma’ashani’s indefinitely delayed trial related to his arrest in 2019 at the Sarfait border crossing for printing a book documenting tribal activities in Dhofar.

Freedom of Expression for Members of the Press and Other Media, Including Online Media: Media did not operate freely. Authorities tolerated limited criticism in privately owned newspapers and magazines; however, editorials generally were consistent with the government’s views. Although mainstream social debate occurred in traditional and social media (especially on Twitter), the government and privately owned radio and television stations did not generally broadcast political material criticizing the government. Authorities required journalists to obtain a license to work; freelance journalists were ineligible for a license.

Violence and Harassment: Some journalists reported harassment by high-level government officials for printing stories perceived as critical of their ministries.

Censorship or Content Restrictions: Headlines in both public and private media print outlets were subject to an official nontransparent review and approval process before publication. Journalists and writers exercised self-censorship. The law permits the Ministry of Information to review all media products including books produced within or imported into the country. The ministry occasionally prohibited or censored material from domestic and imported publications viewed as politically, culturally, or sexually offensive. There was only one major publishing house in the country, and publication of books remained limited. The government required religious groups to notify the Ministry of Endowments and Religious Affairs before importing any religious materials.

Authorities blocked the import without the necessary permit of certain publications, for example, religious texts. Importing pornography also was blocked. Shipping companies claimed customs officials sometimes confiscated these materials. According to Human Rights Watch (HRW), authorities censored 51 literary works from the 2020 Muscat International Book Fair, which was

cancelled in 2021 due to COVID-19.

Libel/Slander Laws: Libel is a criminal offense, which allows for up to one year's imprisonment.

National Security: The government prohibited publication of any material that "undermines the prestige of the state."

Internet Freedom

The law restricts free speech exercised via the internet, and the government enforced these restrictions. The law allows authorities to prosecute individuals for any message that "violates public order and morals" sent via any medium. The law details crimes that take place on the internet that "might prejudice public order or religious values" and specifies a penalty of between one month and a year in prison. Authorities could apply the law against bloggers and social media users who insult the sultan. Authorities placed individuals who abused social media in custody for up to two weeks and provided them with "advice and guidance," according to the OHRC.

In March the Telecommunications Regulatory Authority (TRA) blocked domestic access to the drop-in audio chat platform Clubhouse, according to social media and local press outlet that confirmed the block with TRA. Some social media users, media outlets, and human rights observers described the block as censorship and inconsistent with the principle of freedom of expression.

In March a court sentenced two citizens to one year in prison and a fine of 500 rials (\$1,300) and confiscated their cell phones for using information technology to violate public morals, local press reported. According to the report, the men posted video clips to social media that contained indecent signs, phrases, and actions. No additional details were available.

On July 23, security forces arrested Internet activists Ghaith al-Shibli, Maryam al-Nuaimi, and Abdullah Hassan, according to GCHR and social media reports (see section 2.d.).

According to HRW and Amnesty International, activist and blogger Awadh al-

Sawafi was arrested in June for tweets critical of government institutions. On June 16, he was sentenced to a suspended one-year prison sentence and banned from using social media for one year for violating the Cyber Crime Law by “publishing information harming public order.” On June 10, the Court of First Instance in Muscat sentenced former Shura Council member Salem al-Awfi and journalist Adel al-Kasbi each to one year in prison for “using information technology to spread harm to public order” under the Cyber Crime Law. Both of their charges relate to posts that criticized government figures and the Shura Council.

Some informal civil society and advocacy organizations also were targeted for social media posts, according to HRW. Notably, the women behind the “Nasawiyat Omaniyyat” (Omani Feminists) Twitter account were reportedly summoned for questioning by authorities and forced to suspend their activity on the account, seemingly in retaliation for their work and public advocacy on women’s rights.

Authorities monitored the activities of telecommunications service providers and obliged them to block access to numerous websites considered pornographic, or culturally or politically sensitive. Authorities sometimes blocked blogs as well as most VoIP technologies.

Social media users exercised self-censorship and shared warnings exhorting users to follow local laws and regulations.

Academic Freedom and Cultural Events

The government restricted academic freedom and cultural events. Academics largely practiced self-censorship. Colleges and universities were required to receive permission from the Ministry of Foreign Affairs and the Ministry of Higher Education before meeting with foreign diplomatic missions or accepting money for programs or speakers.

The government censored publicly shown films, primarily for sexual content and nudity, and placed restrictions on performances in public venues. The law also forbids dancing in restaurants and entertainment venues without a permit.

b. Freedoms of Peaceful Assembly and Association

The government restricted freedoms of peaceful assembly and association. Human rights organizations expressed concern that overly broad provisions in the penal code could further restrict the work of human rights activists and limit freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

The law provides for limited freedom of assembly, but the government restricted this right. Gatherings of 10 or more persons in a public place are unlawful if they “endangered the public security or order” or “influenced the function of authorities.”

During a series of nationwide demonstrations against unemployment in May, the ROP reportedly arrested individuals engaged in peaceful protest, according to some social media users and human rights observers. The ROP arrested “dozens” of protesters, most of whom the authorities released after they signed pledges to refrain from participating in future demonstrations, GCHR said in June. According to this organization, authorities released five peaceful protestors in July after charging them with participating in a gathering of more than 10 persons without a permit and detaining them for several weeks. Human rights defender Ibrahim al-Balushi was among those reportedly arrested. He went on a hunger strike while in solitary confinement and was released on June 2, according to GCHR.

Freedom of Association

The law provides for freedom of association for undefined “legitimate objectives and in a proper manner.” Examples of such associations include registered labor unions and social groups for foreign nationalities.

The government limited freedom of association by prohibiting associations whose activities it deemed “inimical to the social order” or otherwise inappropriate. Citizens joining groups deemed “harmful to national interests” could be subject to revocation of citizenship.

Associations must register with their corresponding ministries, which must

approve all associations' bylaws and have the power to determine whether a group serves the interest of the country. The time required to register an association ranged from two months to two years. Approval time varied based on the level of preparedness of the applying organization, the subject matter of the organization, its leadership, and the organization's mission. The law limits formal registration of nationality-based associations to one association for each nationality and restricts activities of such associations. The government sometimes denied permission for associations to form.

The law forbids associations from conducting any kind of fundraising without government approval, including for charitable causes. Individuals convicted of accepting unlawful funding for an association may receive up to one year in jail. Foreign diplomatic missions are required to request meetings with nongovernmental associations through the Ministry of Foreign Affairs by diplomatic note. Associations may not meet with foreign diplomatic missions and foreign organizations without prior approval from the Ministry of Foreign Affairs. The government enforced this law, and all foreign-funded educational and public diplomacy programs required prior government review.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The law provides for freedom of internal movement and repatriation, and the government generally respected these rights. Citizens could generally travel freely outside the country, although this right is not codified; however, there were reports that migrant workers were not always able to depart the country freely.

In-country Movement: There are no official government restrictions on internal travel for any citizen. The government must approve on a case-by-case basis official travel by foreign diplomats to the Dhofar and Musandam regions. There were reports many foreign domestic workers had their passports confiscated by employers, who sponsor the foreign workers, even though the law prohibited this

practice.

Foreign Travel: The government reported that expatriate workers could depart the country without permission at any time, but a worker's ability to do so was contingent on physically possessing a passport and not facing any charges, including "absconding" charges. Some potential human trafficking victims who experienced passport confiscation or were subject to spurious charges filed by their employers may have been unable to leave the country freely.

e. Status and Treatment of Internally Displaced Persons

Not applicable.

f. Protection of Refugees

The government generally did not allow asylum seekers to remain in the country. Office of the UN High Commissioner for Refugees (UNHCR) personnel occasionally visited the country but did not maintain an office locally. The Committee for International Humanitarian Law considers matters of refugees and displaced persons, according to the OHRC.

Access to Asylum: The law provides for the granting of asylum or refuge for displaced persons, and the government has established a system for providing protection. The ROP's system for granting asylum and resettlement was not transparent, and the law does not specify a timeframe in which the ROP must adjudicate an asylum application. It was policy not to recognize refugees from conflict zones such as Yemen, although Yemenis travel to Oman regularly, and the government provided temporary medical care to certain Yemeni citizens. In practice there were no substantive legal protections for asylum seekers in the country.

Refoulement: The government did not provide comprehensive protection to asylum seekers from involuntary returns to countries where their lives or freedom could be threatened, subjecting them to the possibility of refoulement. Tight control over the entry of foreigners effectively limited access to protection for asylum seekers.

Abuse of Migrants, Refugees, and Stateless Persons: The country has many female migrant workers from Bangladesh, India, Nepal, Nigeria, Pakistan, the Philippines, Sri Lanka, Tanzania, and Uganda employed as domestic workers. Nongovernmental organizations based outside the country, international media reports, and embassies of labor-sending countries alleged that domestic workers faced maltreatment, to include physical, sexual, and psychological abuse. The law criminalizes slavery and trafficking, and the government has made efforts to combat trafficking. Labor violations are punishable under the labor law. Domestic workers are excluded, however, from the labor law's protections and instead are covered by a 2004 Ministerial Decision, which does not provide effective rights protections or adequate complaint mechanisms for this population. In 2020 courts convicted two individuals for human trafficking crimes.

Temporary Protection: The government provided emergency medical care to certain Yemeni citizens who demonstrated they could not receive adequate care in Yemen. These Yemenis and one accompanying family member per patient were offered temporary resident status in Oman during the treatment period on an ad hoc basis.

g. Stateless Persons

Under the law citizenship is passed only through the father. Therefore, children born to foreign fathers and citizen mothers in Oman were at risk of statelessness.

Section 3. Freedom to Participate in the Political Process

The law does not provide citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage. The sultan retains ultimate authority on all foreign and domestic matters. Except for the military and other security forces, all citizens who have reached 21 years of age have the right to vote for candidates for the Majlis al-Shura and the municipal councils.

Elections and Political Participation

Recent Elections: In 2019 nearly 350,000 citizens participated in the Majlis al-

Shura elections for the Consultative Council, or lower house of parliament. Electoral commissions reviewed potential candidates against a set of objective educational and character criteria (at least a high school education and no criminal history or mental illness) before they allowed candidates' names on the ballot. The Ministry of Interior administered and closely monitored campaign materials and events. There were no notable or widespread allegations of fraud or improper government interference in the voting process. The government did not allow independent monitoring of the elections, but it invited some international journalists to the country to report on election day events. The OHRC said it was a member of the Main Elections Committee and a key partner in overseeing the electoral process.

Due to the COVID-19 pandemic, in May 2020 the sultan postponed the quadrennial municipal council elections, last held in 2016. The government did not set a date for when these elections would take place.

Political Parties and Political Participation: The law does not allow political parties, and citizens did not attempt to form them.

Participation of Women and Members of Minority Groups: No laws limit participation of women or members of minority groups in the political process, and they did participate. During the Majlis al-Shura elections in 2019, voters elected two women as representatives. The sultan appointed 15 women to the Majlis al-Dawla in 2019. Three women serve as ministers, four as undersecretaries, and one as Chair of the Small and Medium Enterprise Authority.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively. The Financial and Administrative State Audit Institution (FASAI) submitted an annual report to the sultan and the Majlis Oman. The Majlis al-Shura had the authority to summon and question ministers.

Corruption: There were reports of government corruption, including in the

police, ministries, and state-owned companies. In September a citizen was reportedly arrested after he made accusations of corruption on social media. He alleged government officials sought bribes from him to approve an investment project. In October social media users accused the Minister of Education of corruption after a July 2020 court decision convicted 18 officials in the Ministry of Education. The minister remained in her post.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

No independent, officially sanctioned human rights organizations existed in the country. There were civil society groups that advocated for persons protected under human rights conventions, particularly women and persons with disabilities. These groups were required to register with the Ministry of Social Development.

The law permits domestic and international actors to request permission to engage in human rights work, but none did because they believed the government was not likely to grant permission.

Government Human Rights Bodies: The OHRC, a government-funded commission made up of members from the public, private, and academic sectors, reported on human rights to the sultan via the State Council. The OHRC also published an annual report summarizing the types of complaints it received and how it handled those complaints. OHRC functions semi-independently with moderate effectiveness in protecting human rights in the country, based on limited public information.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalizes rape with penalties of up to 15 years in prison. The law does not criminalize spousal rape explicitly, but it does criminalize all “sex without consent.” According to diplomatic observers, police investigations resulted in few rape convictions. Foreign nationals working as

domestic employees occasionally reported that their sponsors had sexually assaulted them.

The law does not specifically address domestic violence, and judicial protection orders prohibiting domestic violence do not exist. Charges could be brought, however, under existing statutes outlawing assault, battery, and aggravated assault, which can carry a maximum sentence of three years in prison. Allegations of spousal abuse in civil courts handling family law cases reportedly were common. Victims of domestic violence may file a complaint with police, and reports suggested that police responded promptly and professionally. The government operated a hotline for reporting incidents of domestic violence and a shelter for victims.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits health practitioners from conducting “traditional practices,” including FGM/C, that are harmful to a child’s health. The 2019 Executive Regulations for the Child Law include “disfiguring female genital organs” as one of these harmful practices. There are no national statistics on the prevalence of FGM/C, although anecdotal reports indicated some ongoing practice of FGM/C.

Sexual Harassment: Harassing a woman by word or conduct is punishable by imprisonment up to a year.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities. Married couples have access to family planning and information, free from discrimination, coercion, or violence. Health clinics disseminated information on family planning under the guidance of the Ministry of Health. Some forms of birth control, including condoms, were available at pharmacies and supermarkets, although medically prescribed contraceptives were generally not available for unmarried women. Menstrual healthcare was available for citizens and menstrual care products were readily available in pharmacies and grocery stores. The government provided free childbirth services to citizens within the framework of universal health care. Prenatal and postnatal care was readily available and used. While survivors of sexual violence could seek medical treatment at public healthcare facilities, the government did not provide emergency contraception or dedicated sexual and

reproductive health services to survivors.

Discrimination: The law prohibits gender-based discrimination against citizens, but the government did not appear to enforce the law effectively. Local interpretations of Islamic law and practice of cultural traditions in social and legal institutions discriminated against women. In some personal status cases, such as divorce, a woman's testimony is equal to half that of a man. The law favors male heirs in adjudicating inheritance.

The Ministry of Interior requires both male and female citizens to obtain permission to marry foreigners, except nationals of Gulf Cooperation Council countries, whom citizens may marry without restriction; authorities do not automatically grant permission, which is particularly difficult for women to obtain. Citizen marriage to a foreigner abroad without ministry approval may result in denial of entry for the foreign spouse at the border and preclude children from claiming citizenship and residency rights. It also may result in a bar from government employment.

Despite legal protections for women from forced marriage, deeply embedded tribal practices ultimately compel most citizen women towards or away from a choice of spouse.

The law provides for transmission of citizenship at birth if the father is a citizen, if the mother is a citizen and the father is unknown, or if a child of unknown parents is found in the country. Women married to noncitizens may not transmit citizenship to their children (who are thereby at risk of statelessness) and cannot sponsor their noncitizen husband's or children's presence in the country.

The law provides that any adult, male or female, may become a citizen by applying for citizenship and subsequently residing legally in the country for 20 years or 10 years for a woman if married to a male citizen. Women citizens cannot confer expedited citizenship to their foreign male spouses in the same manner. The approval or rejection of the citizenship application is subject to the Ministry of Interior's final decision.

Government policy provided women with equal opportunities for education, and this policy effectively eliminated the gender gap in educational attainment.

Although some educated women held positions of authority in government, business, and media, many women faced job discrimination based on cultural norms. The law entitles women to paid maternity leave and equal pay for equal work. The government, the largest employer of women, observed such regulations, as did many private sector employers.

The Ministry of Social Development is the umbrella organization for women's concerns. The ministry provided support for women's economic development through the Oman Women's Association and local community development centers.

Systemic Racial or Ethnic Violence and Discrimination

The law states that all citizens are equal and prohibits discrimination based on race, ethnic origin, language, religion, sect, domicile, or social status. The law equally protects Omanis and foreigners present in Oman.

The country is an ethnically diverse society. There were no reports of racial or ethnic violence. The government's "Omanization" policy favors Omani citizens over foreigners for employment in some sectors of the economy, and some expatriate workers reported that Omanis were favored in the workplace.

Children

Birth Registration: Citizenship is derived from the father. Women married to noncitizens may not transmit citizenship to their children. Children of unknown parents are automatically eligible for citizenship. Government employees raised abandoned children in an orphanage. Such children receive free education through the university level and a job following graduation. Citizen marriage to a foreigner abroad without ministry approval may preclude children from claiming citizenship rights.

Child Abuse: According to the law, any concerned citizen must report child abuse, and each governorate had an interagency committee that would meet to discuss the allegations and possibly take the child out of the parent's custody until the allegations were investigated. The government operated a child abuse hotline.

Child, Early, and Forced Marriage: The age of legal marriage for men and women is 18, although a judge may permit a person to marry younger when the judge or family deemed the marriage is in the minor's interest. Child marriage occurred in rural communities as a traditional practice.

Sexual Exploitation of Children: Commercial sexual exploitation of children and child pornography are punishable by no fewer than five years' imprisonment. The penal code stipulates a punishment of life imprisonment for rape of a child younger than 15 years. The minimum age of consensual sex is 18. All sex outside of marriage is illegal, but sex with a minor younger than 15 carries a heavier penalty (up to 15 years' imprisonment). Authorities do not charge minors. There were no known reports of children in commercial sex; soliciting a child for commercial sex is prohibited.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

There was no indigenous Jewish population. One Arabic-language newspaper featured multiple cartoons critical of the Israeli government in which a man representing stereotypical anti-Semitic tropes of Jews along with wearing the Star of David represented the state of Israel.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

The law provides persons with disabilities the same rights as other citizens in employment, education, access to health care, and the provision of other state services. Persons with disabilities, however, continued to face discrimination. The

law mandates access to public transportation and buildings for persons with disabilities, but many older buildings, including government buildings and schools, did not conform to the law.

The government provided alternative education opportunities for citizen children with disabilities, including overseas schooling when appropriate.

Additionally, the Ministry of Education supported schools and education programs for intellectually disabled students. These services accommodated students with motor, sight, hearing, and mental disabilities. The Ministry of Education operated a program to integrate students with disabilities into primary schools. The ministers of education and of health supervised a broad-based, prioritized strategy for various ministries to coordinate the problem of child autism in the country, including early autism diagnosis and intervention. The Ministry of Education also coordinated with UNICEF to improve its alternative education systems.

The Ministry of Social Development is responsible for protecting the rights of persons with disabilities. The Directorate General of Disabled Affairs within the Ministry of Social Development creates and implements programs for persons with disabilities in coordination with relevant authorities. The directorate was authorized further to supervise the ministry's rehabilitation and treatment centers for persons with disabilities.

HIV and AIDS Social Stigma

Foreigners seeking residency in the country are tested for HIV/AIDS. If foreigners test positive, residency permission is denied, and foreigners must leave the country, but there were no known occurrences of this during the year.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity

The law criminalizes consensual same-sex sexual conduct and consensual heterosexual sex outside of marriage with a jail term of six months to three years, but it requires a spouse or guardian complaint to initiate prosecution, independent of gender. The government did not actively enforce this provision, and there were no public records of potential prosecutions.

The law identifies “crossdressing” (defined as males dressing in female clothing) as a criminal act punishable by up to one year’s imprisonment, a fine of 100 to 300 rial (approximately \$260 to \$780), or both.

Public discussion of sexual orientation and gender identity remained a social taboo. There were no known lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) organizations active in the country, although regional human rights organizations focused on the human rights of LGBTQI+ citizens. Authorities took steps to block LGBTQI+-related internet content as well as international films that featured LGBTQI+ characters.

Information was not available on official or private discrimination in employment, occupation, housing, statelessness, or access to education or health care based on sexual orientation and gender identity. There were no government efforts to address discrimination against LGBTQI+ persons.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers to form and join unions, as well as conduct legal strikes and bargain collectively, but with significant restrictions. The law provides for one general federation, to which all unions must affiliate, and which represents unions in regional and international fora. The law requires a minimum of 25 workers to form a union, regardless of company size. The law requires an absolute majority of an enterprise’s employees to approve a strike, and notice must be given to employers three weeks in advance of the intended strike date. The law allows for collective bargaining; regulations require employers to engage in collective bargaining on the terms and conditions of employment, including wages and hours of work. Where there is no trade union, collective bargaining may take place between the employer and five representatives selected by workers. The employer may not reject any of the representatives selected. While negotiation is underway, the employer may not act on decisions related to problems under discussion. The law prohibits employers from firing or imposing other penalties on employees for union activity, although it does not require reinstatement for workers fired for union activity.

No independent organized labor unions existed. Worker rights continued to be administered and directed by the General Federation of Oman Workers (GFW).

The GFW responded to reports of labor rights violations, some precipitated by the COVID-19-related economic downturn. During the COVID-19 outbreak in the country, the GFW received and adjudicated complaints that employers reduced or failed to pay wages, forced workers to take unpaid leave, and deducted time in quarantine from workers' leave banks.

Government-approved unions are open to all legal workers regardless of nationality, though the law prohibits members of the armed forces, other public security institutions, government employees, domestic workers, as well as individuals convicted of criminal activity or acts against the security of the country or national unity from forming or joining such unions. In addition, labor laws apply only to workers who perform work under a formal employment agreement and excludes domestic workers.

The law prohibits unions from accepting grants or financial assistance from any source without the Ministry of Labor's prior approval. All unions are subject to the regulations of the government federation and may be shut down or have their boards dismissed by the federation.

The government generally enforced applicable laws effectively and respected the rights to collectively bargain and conduct strikes, although strikes in the oil and gas industries are forbidden. Penalties were commensurate with those for other laws involving denials of civil rights, such as discrimination. The government provided an alternative dispute resolution mechanism through the Ministry of Labor, which acted as mediator between the employer and employee for minor disputes such as disagreement over wages. If not resolved to the employee's satisfaction, the employee could, and often did, resort to the courts for relief. The country lacked dedicated labor courts, and observers noted the mandatory grievance procedures were confusing to many workers, especially foreign workers. The Ministry of Labor had sufficient resources to act in dispute resolution.

Freedom of association in union matters and the right to collective bargaining existed, but the threat of a strike can prompt company action or government

intervention. Strikes rarely occurred and were generally resolved quickly, sometimes through government mediation.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forced or compulsory labor but explicitly excludes domestic workers. Penalties for violations were commensurate with those for other analogous serious crimes, such as kidnapping.

By law all expatriate workers, who constituted approximately 80 percent of the workforce, must be sponsored by a citizen employer or accredited diplomatic mission. Some migrant workers employed as domestic workers or as low-skilled workers in the construction, agriculture, and service sectors, faced working conditions indicative of forced labor, including withholding of passports, restrictions on movement, usurious recruitment fees, nonpayment of wages, long working hours without food or rest, threats, and physical or sexual abuse. These situations were generally considered civil or contract matters by authorities, who encouraged dispute resolution rather than criminal action. Authorities generally relied on victims to identify themselves and report abuses, rather than proactively investigating trafficking among vulnerable populations. In 2020 the government created and disseminated a formal screening questionnaire for officials to use in identifying potential trafficking victims among those arrested for alleged labor violations and fleeing their employer. Police officials underwent training on how to identify victims of trafficking and cases of forced or compulsory labor. Training was temporarily paused during the pandemic but resumed by the end of the year.

Employer-based, visa sponsorship known as *kafala* left foreign workers vulnerable to exploitative and abusive conditions and made it difficult for them to change employers (see section 2.d.). Some sponsors allow their employees to work for other employers, sometimes in return for a fee. This practice is illegal, but enforcement was weak, and such arrangements diminished workers' agency and increased their vulnerability. Some employers of domestic workers, contrary to law, withheld passports and other documents, complicating workers' release from unfavorable contracts and preventing workers' departure after their work contracts expired. The ROP issued a decision in May 2020 that all expatriates will no longer require a "no objection certificate" (NOC) from their employers to secure new

work upon completion or termination of their employment contracts, which went into effect January 1. The implementation of this decision is ambiguous. Before the ROP removed the NOC requirement, some employers exploited it to demand exorbitant release fees before permitting workers to change employers. There were reports that sponsors were reluctant to provide NOCs, which would result in loss of the foreign labor certificate for that position.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The minimum age for employment is 16, or 18 for certain hazardous occupations. Employees younger than 18 may work only between the hours of 6 a.m. and 6 p.m. and are prohibited from working for more than six hours per day, on weekends, or on holidays. The law allows exceptions to the age requirement in agricultural works, fishing, industrial works, handicrafts, sales, and administrative jobs, under the conditions that it is a one-family business and does not hinder the juvenile's education or affect health or growth.

The Ministry of Labor and ROP are responsible for enforcing laws with respect to child labor. The law provides for fines for minor violations and imprisonment for repeat violations. Employers are given time to correct practices that may be deemed child labor. The government does not publish information on the enforcement of child labor laws; no information was available to determine whether penalties were commensurate with those for other analogous serious crimes, such as kidnapping.

In 2020 the country made a moderate advance in eliminating the worst forms of child labor, and there is evidence that small numbers of children in the country engaged in child labor, including in fishing and selling items in kiosks.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

d. Discrimination with Respect to Employment and Occupation

Labor laws and regulations do not address discrimination based on race, sex, gender, nationality, political views, disability, language, sexual orientation or gender identity, HIV-positive status or having other communicable diseases, or social status. It is unclear, therefore, whether any penalties existed for violations that were commensurate to laws related to civil rights, such as election interference. While labor laws generally do not allow women to work in jobs deemed hazardous or arduous, there no industry-specific occupations were closed to women.

Discrimination occurred based on gender, sexual orientation, nationality, disability, and gender identity. Foreign workers were required to take HIV/AIDS tests and could only obtain or renew work visas if the results were negative. This practice was suspended during COVID-19, according to local sources.

Although some educated women held positions of authority in government, business, and media, many women faced job discrimination based on cultural norms. The law entitles women to paid maternity leave and equal pay for equal work. The government, the largest employer of women, observed such regulations, as did many private sector employers. The percentage of women working in the government sector increased from 41 percent of the total number of workers in 2014 to 59 percent in 2018, according to official government statistics.

The law provides persons with disabilities the same rights as other citizens in employment, and the provision of other state services. Persons with disabilities, however, continued to face discrimination. The law mandates access to public transportation and buildings for persons with disabilities, but many older buildings, including government buildings and schools, did not conform to the law. The law also requires government agencies and private enterprises employing more than 50 persons to reserve a certain percentage of positions for persons with disabilities. This percentage was 2 percent for the private sector; the Civil Service Council was responsible for determining the percentage for the public sector, which was set at 5 percent. Authorities did not systematically enforce this regulation.

e. Acceptable Conditions of Work

Wage and Hour Laws: The country has a minimum monthly wage for citizens that does not apply to noncitizens in any occupation. Minimum wage regulations do not apply to a variety of occupations and businesses, including small businesses employing fewer than five persons, dependent family members working for a family firm, or some categories of manual laborers. Most citizens who lived in poverty were engaged in traditional subsistence agriculture, herding, or fishing, and generally did not benefit from the minimum wage. The private sector workweek is 45 hours and includes a two-day rest period following five consecutive days of work. Government workers have a 35-hour workweek. The law mandates paid overtime for hours of more than 45 per week.

The Ministry of Labor effectively enforced the minimum wage for citizens. In wage cases the Ministry of Labor processed complaints and acted as mediator. In most cases the plaintiff prevailed, gaining compensation, the opportunity to seek alternative employment, or return to their country of origin in the case of foreign laborers. The ministry was generally effective in cases regarding minor labor disputes. Penalties for violations were commensurate with those for similar crimes, such as fraud.

Occupational Safety and Health: The government sets occupational health and safety standards. Occupational safety and health (OSH) standards were appropriate for the main industries in the country. There were reports that the government did not enforce them for poor foreign workers according to an International Organization for Migration representative. Responsibility for identifying unsafe situations remains with OSH experts and not the worker based on hazards inherent to the nature of work. The law states an employee may leave dangerous work conditions without jeopardy to employment if the employer was aware of the danger and did not implement corrective measures. Employees covered under the labor law may receive compensation for job-related injury or illness through employer-provided medical insurance. Neither wage and hour nor occupational safety and health regulations apply to domestic workers.

The Ministry of Labor is responsible for enforcing labor laws, and it employed inspectors in Muscat and around the country. It generally enforced the law

effectively with respect to citizens; however, it did not always effectively enforce regulations regarding hours of employment and working conditions for foreign workers. Penalties for violations of occupational, safety, and health laws were commensurate with those for similar crimes like negligence.

Labor inspectors performed random checks of worksites to verify compliance with all labor laws. Inspectors from the Department of Health and Safety of the Labor Care Directorate are responsible for enforcement of health and safety codes. Limited inspections of private sector worksites are required by law to deter or redress unsafe working conditions in the most dangerous sectors.

Informal Sector: The law does not provide for occupational health and safety standards for workers in the informal economy. Foreign workers were vulnerable to poor, dangerous, or exploitative working conditions. There were reports that migrant laborers in some firms and households worked more than 12 hours a day without a day off for below-market wages. Employers often cancelled the employment contracts of seriously sick or injured foreign workers, forcing them to return to their countries of origin or remain in the country illegally. Some labor inspections focused on enforcing visa violations and deporting those in an irregular work visa status rather than verifying safe and adequate work conditions.

Employers have a great deal of control over these workers, particularly domestic workers who are not covered by existing labor laws. The country's visa-sponsorship system (kafala) ties migrant workers to their employers, who can have a worker's visa canceled arbitrarily. Workers who leave their jobs without the consent of their employer can be punished with fines, deportation, or reentry bans. As of January 1, expatriates were no longer required to obtain a "no-objection certificate" to secure new work upon completion or termination of their employment contracts. There are no maximum workhour limits for domestic workers nor any mandatory rest periods, although the contract between the employer and worker can specify such requirements. There were some reports that domestic workers were forced to work with inadequate rest periods. Separate domestic employment regulations obligate the employer to provide domestic workers with free local medical treatment throughout the contract period. Penalties for noncompliance with health regulations were insufficient to deter violations. Some domestic workers were subjected to abusive conditions.

There was no data available on workplace fatalities or safety.